

REMARKS

Claims 1, 3-9, 11-15, and 17-26 are pending. By this Amendment, claims 2 and 16 are cancelled without prejudice or disclaimer, claims 1, 6, 9, 13, and 14 are amended, and claims 25 and 26 are added. No new matter is added.

Claims 1 and 9 are amended to include the features of claims 2 and 16, respectively, and for clarity, claims 6 and 13 are amended for clarity, and claim 14 is amended for consistency with an amendment to claim 9. Support for new claims 25 and 26 is found in FIG. 2 as originally filed.

For the following reasons, reconsideration is respectfully requested.

REJECTIONS UNDER 35 U.S.C. §112:

On page 2, item 3 of the Office Action, claims 1-8, 17, 19, and 21-24 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Although claims 1 and 9 and its dependent claims are believed definite, to expedite prosecution, claims 1 and 9 are amended in part as suggested by the Examiner to clarify the claims and to obviate the rejection. Withdrawal of the rejection is respectfully requested.

On page 3, item 4 of the Office Action, claims 6, 7, 13, and 14 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 6 and 13 are amended to clarify the claims and to obviate the rejection. Withdrawal of the rejection is respectfully requested.

REJECTIONS UNDER 35 U.S.C. §102 AND 35 U.S.C. §103:

On page 3, item 6 of the Office Action, claims 1, 3-5, 9, 11, 12, and 17-24 are rejected under 35 U.S.C. §102(b) as being anticipated by Shibamoto et al. (WO 0278113, U.S. Patent Application Publication No. 2004/0096733 used as an English equivalent).

Also, on page 5, item 8 of the Office Action, claims 2, 6, 7, 13, 14, and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Shibamoto, in view of Iwasaki et al. (U.S. Patent No. 6,325,611).

Also, on page 7, item 9 of the Office Action, claims 8 and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Shibamoto as applied to claims 1 and 9, and further in view of Fukumura et al. (U.S. Patent No. 6,027,835). The rejections are respectfully traversed.

It is respectfully submitted that none of Shibamoto, Iwasaki, Fukumura, or their combination disclose or suggest that the folded portion has an insulating tape attached thereto to cover the folded portion, as recited in claims 1 and 9.

First, in so far as claims 1 and 9 have been amended to recite an insulating tape previously recited in claims 2 and 16, respectively, claims 1 and 9 are patentably distinguishable over Shibamoto. Specifically, it is acknowledged in the Office Action that Shibamoto lacks the insulating tape. Accordingly, withdrawal of the 35 U.S.C. §102 rejection is respectfully requested.

Second, it is respectfully submitted that none of Iwasaki, Fukumura, or their combination overcome the deficiencies of Shibamoto. Specifically, the Office Action applies Iwasaki for the disclosure of an insulating tape affixed to the electrode. In Iwasaki, the electrode-insulating tape 16 is disclosed as being applied on the outer side of the terminal part of the positive electrode 1 (see, col. 13, lines 52-54 of Iwasaki). That is, as shown in FIG. 3 of Iwasaki, a strip of tape 16 is applied to an outer curvature of a positive electrode collector 1a of the positive electrode 1. The positive electrode 1 lacks a folded portion, and therefore, the tape 16 is not applied to a folded portion of the positive electrode 1. Accordingly, even when combined, Shibamoto and Iwasaki are deficient since the combination fails to disclose or suggest that the tape 16 be attached to a folded portion. Further, even when combined, Shibamoto and Iwasaki are deficient since the combination fails to disclose or suggest that the folded portion has an insulating tape attached thereto to cover the folded portion, as recited in claims 1 and 9.

Further, Fukumura, which is applied as disclosing an active material with an exposed region of 0.3 mm to 30 mm, fails to overcome at least the above deficiencies of Shibamoto, Iwasaki, and their combination.

Based on the above, Shibamoto, Iwasaki, Fukumura, and their combination fail to disclose each and every feature of claims 1 and 9. Accordingly, claims 1 and 9 are patentably distinguishable over the applied references and their combination. Claims 3-8, 17, 19, 21, and 22, which depend from claim 1, and claims 11-15, 18, 20, 23, and 24, which depend from claim

9, are likewise patentably distinguishable over the applied references and their combination for at least the reasons discussed above, and for the additional features they recite.

Withdrawal of the rejections is respectfully requested.

NEW CLAIMS:

New claims 25 and 26 are also patentably distinguishable over the applied references and their combination for at least their dependence from their respective independent claims, and for the additional features they recite. Consideration and allowance are respectfully requested.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: 4/21/2008

By: Seth S. Kim
Seth S. Kim
Registration No. 54,577

1400 Eye St., NW
Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510